

## FORTY-THIRD DAY

(Wednesday, March 21, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Jones	Stanford
Knight	Stone
Lane	Sulak
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leaves of Absence Granted

Senator Taylor was granted leave of absence for today on account of a death in the family, on motion of Senator Mauritz.

Senator Kelley was granted leave of absence for today on account of important business on motion of Senator Martin.

## Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,  
March 21, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Oil, Gas & Conservation, to whom was referred S. B. No. 229, have had the same under consideration and I am instructed to report same back to you with the recommendation that it do pass, and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 21, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Oil,

Gas & Conservation, to whom was referred S. B. No. 277, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass with Committee Amendment attached hereto, and be printed.

WEINERT, Chairman.

Senator Lanning submitted the following reports:

Austin, Texas,  
March 20, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 115, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Austin, Texas,  
March 20, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 177, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

## House Bill 89 on Second Reading

Senator Chadick moved that the regular order of business be suspended to take up on its second reading and passage to third reading:

H. B. No. 89, A bill to be entitled "An Act to amend Subsection (4), Section 2, Article XX of House Bill No. 8, Chapter 184, Acts of the 47th Legislature, Regular Session, and all subsequent amendments thereto, providing for the allocation of funds from the Clearance Fund to the Old Age Assistance Fund, providing for the appropriation of such funds, and declaring an emergency."

The motion prevailed by the following vote:

Yeas—28

Aikin	Crawford
Brown	Graves
Bullock	Hazlewood
Carney	Jones
Chadick	Knight

Lane	Ramsey
Lanning	Shivers
Martin	Spears
Mauritz	Stanford
Metcalfe	Stone
Moffett	Sulak
Moore	Vick
Morris	Winfield
Parrish	York

Nays—1

Weinert

Absent—Excused

Kelley

Taylor

On motion of Senator Aikin, and by unanimous consent, the rule requiring printed copies of a bill to be on the desks of members 24 hours before its consideration was suspended.

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time.

Senator Chadick offered the following (committee) amendment to the bill:

(1)

Amend House Bill No. 89 by striking out Two Million, Two Hundred Thousand Dollars (\$2,200,000) wherever it appears in said bill and inserting in lieu there of Two Million, Sixty-five Thousand Dollars (\$2,065,000).

(President pro tempore in the Chair)

Senator Bullock moved to table the amendment.

(President in the Chair)

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—17

Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Hazlewood	Sulak
Jones	Vick
Knight	York
Lane	

Nays—10

Aikin  
GravesLanning  
Martin

Mauritz	Shivers
Metcalfe	Stone
Moore	Winfield

Absent

Stanford      Weinert

Absent—Excused

Kelley

Taylor

Senator Chadick, offered the following (committee) amendment to the bill:

(2)

Amend House Bill No. 89, Section 1 by adding the following provisions at the end of the section:

"Provided that the total administrative expenses of all kinds out of State funds for the remainder of the biennium shall never exceed three (3%) per cent, of the total amount expended for assistance out of all funds, State and Federal. In the event that the itemized appropriations for administration require less payment out of State funds than three (3%) per cent of the total amount expended for assistance out of all funds, State and Federal, and the necessity therefor exists, and the State Board of Public Welfare finds and declares in writing that such necessity exists, then the State Department of Public Welfare is authorized to pay additional employees or pay additional maintenance and miscellaneous expenses to the extent authorized by the State Board of Public Welfare out of the above appropriation for each month of the remainder of the biennium; and provided further that in no event whatsoever shall the total expenditures for administration and all expenses out of the State funds ever exceed three (3%) per cent of the total expenditures for assistance out of all funds, State and Federal."

The amendment was adopted.

Senator Chadick offered the following (committee) amendment to the bill:

(3)

Amend the caption of House Bill No. 89 by adding the following to Line 9 immediately following "1945":

"Providing that the Department of Public Welfare may not use out of State funds for administrative expenses of this program more than three (3%) per cent of the total amount expended for assistance out of all funds, State and Federal."

The amendment was adopted.

H. B. No. 89 was then passed to third reading.

#### House Bill 89 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 89 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Metcalf
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Vick
Lanning	Weinert
Martin	York
Mauritz	

Nays—1

Moore

Absent

Winfield

Absent—Excused

Kelley

Taylor

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Carney
Brown	Chadick
Bullock	Crawford

Graves  
Hazlewood  
Jones  
Knight  
Lane  
Lanning  
Martin  
Mauritz  
Metcalf  
Moffett

Morris  
Parrish  
Ramsey  
Shivers  
Spears  
Stanford  
Stone  
Sulak  
Vick  
York

Nays—3

Winfield  
Weinert

Moore

Absent—Excused

Kelley

Taylor

#### Message from the House

Hall of the House of Representatives,

Austin, Texas,  
March 21, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 42, Relative to granting certain easement to the City of Austin.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### House Bill 235 on Second Reading

On motion of Senator Shivers, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 235, To appropriate funds to the State Department of Agriculture for the purpose of carrying out the provisions of certain existing laws.

The President laid the bill before the Senate on its second reading.

The bill was read second time and was passed to third reading.

#### House Bill 235 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 235 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Jones	Stanford
Knight	Stone
Lane	Sulak
Lanning	Vick
Martin	Winfield
Mauritz	York
Metcalf	

## Absent

Weinert

## Absent—Excused

Hazlewood	Taylor
Kelley	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—27

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Jones	Stanford
Knight	Stone
Lane	Sulak
Lanning	Vick
Martin	Winfield
Mauritz	York
Metcalf	

## Absent

Weinert

## Absent—Excused

Hazlewood	Taylor
Kelley	

## Senate Bill 298 on First Reading

Senator Ramsey moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Jones	Stanford
Knight	Stone
Lane	Sulak
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

## Absent

Vick

## Absent—Excused

Hazlewood	Taylor
Kelley	

The following bill then was introduced, read first time and referred to the Committee on State Affairs:

S. B. No. 298, A bill to be entitled "An Act authorizing the Board of Managers of the Texas State Railroad, with the approval of the State Auditor, to employ an auditor, or auditors, to audit the records of said railroad and the Texas and New Orleans Railroad Company insofar as such records are applicable to the contract now existing between said Railroads; providing for payment of such auditing on a contingent basis, and declaring an emergency."

## House Bill 53 on Final Passage

The President laid before the Senate, on its final passage:

H. B. No. 53, A bill to be entitled "An Act authorizing and instructing the State Board of Control to sell two tracts of land situated in Wichita County, Texas, aggregating 43.12 acres more or less; providing that abstracts or title insurance may be secured; providing that the Chairman of the State Board of Control may execute a deed of conveyance; providing for disposition of funds; and declaring an emergency."

Question—Shall the bill be passed?

Senator Metcalf offered the following amendment to the bill:

Amend H. B. No. 53 by adding at the end of Section 2 the following:

"There is hereby reserved to the State a one-sixteenth (1/16) free roy-

alty mineral interest on any lands sold under the provisions of this Act, all revenue from which shall be placed in the General Fund of the State."

The amendment was adopted.

On motion of Senator Metcalfe, and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

H. B. No. 53 was passed by the following vote:

**Yeas—20**

Aikin	Martin
Brown	Metcalfe
Bullock	Moffett
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Jones	Stone
Knight	Winfield
Lane	York

**Nays—5**

Mauritz	Stanford
Moore	Sulak
Spears	

**Absent—Excused**

Hazlewood	Taylor
Kelley	

**Absent**

Lanning	Weinert
Vick	

**House Bill and Resolutions on First Reading**

The following House bill and resolutions, received from the House today, were laid before the Senate, read first time, and referred to the committees indicated:

H. B. No. 347, to Committee on State Affairs.

H. C. R. No. 45, to Committee on Engrossed Bills.

H. C. R. No. 42, to Committee on Public Lands and Land Office.

**Adjournment**

On motion of Senator Martin, the Senate, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

**FORTY-FOURTH DAY**

(Thursday, March 22, 1945)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalfe	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Leaves of Absence Granted**

Senators Kelley and Taylor were granted leaves of absence for today on motion of Senator Aikin.

**Reports of Standing Committees**

Senator Martin submitted the following report:

Austin, Texas,  
March 21, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to who you referred S. J. R. No. 18, by Winfield, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendment and be printed.

MARTIN, Chairman.

Senator Vick submitted the following reports: